



General Assembly

Amendment

January Session, 2021

LCO No. 10072



Offered by:
REP. FISHBEIN, 90th Dist.

To: Subst. Senate Bill No. 1091 File No. 617 Cal. No. 515

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING THE DEFINITION OF DOMESTIC VIOLENCE, REVISING STATUTES CONCERNING DOMESTIC VIOLENCE, CHILD CUSTODY, FAMILY RELATIONS MATTER FILINGS AND BIGOTRY OR BIAS CRIMES AND CREATING A PROGRAM TO PROVIDE LEGAL COUNSEL TO INDIGENTS IN RESTRAINING ORDER CASES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 46b-87 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2021*):

5 (a) When any person is found in contempt of an order of the Superior
6 Court entered under section 46b-60 to 46b-62, inclusive, 46b-81 to 46b-
7 83, inclusive, or 46b-86, the court [may] shall award to the petitioner a
8 reasonable attorney's fee and the fees of the officer serving the contempt
9 citation, such sums to be paid by the person found in contempt,
10 provided if any such person is found not to be in contempt of such order,

11 the court may award a reasonable attorney's fee to such person. The
12 costs of commitment of any person imprisoned for contempt of court by
13 reason of failure to comply with such an order shall be paid by [the state
14 as in criminal cases] such imprisoned person.

15 (b) (1) The state shall have a claim against each person imprisoned
16 under subsection (a) of this section for which the state has not received
17 the costs of commitment pursuant to said subsection. Any property
18 owned by such person prior to release from imprisonment may be used
19 to satisfy such claim, except property that is: (A) Exempt pursuant to
20 section 52-352b or 52-352d, except as provided in subsection (b) of
21 section 52-321a; or (B) subject to the provisions of section 54-218.
22 Property acquired by such person after release from imprisonment may
23 be used to satisfy such claim if that property could be used to satisfy a
24 claim for the costs of incarceration pursuant to the provisions of section
25 18-85b, 18-85c or 52-367c, except as provided in subsection (b) of section
26 52-321a.

27 (2) In addition to other remedies available at law, the Attorney
28 General may bring an action to enforce a claim under subdivision (1) of
29 this subsection in the superior court for the judicial district where the
30 person resides or, if the person is not a resident of this state, in the
31 superior court for the judicial district of Hartford. No such action shall
32 be brought but within two years from the date the person is released
33 from imprisonment, except that such limitation period shall not apply if
34 property that could be used to satisfy a claim under subdivision (1) of
35 this subsection was fraudulently concealed from the state."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2021	46b-87